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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

YOO MI EVANS,

Defendant.

Hon. William H. Walls

CRIMINAL No. 08-477

**APPLICATION FOR WRIT
OF EXECUTION**

The plaintiff, United States of America, by Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey, and Leah A. Bynon, Assistant U.S. Attorney, respectfully makes application pursuant to 28 U.S.C. § 3203(c)(1) of the Federal Debt Collection Procedures Act of 1990, to the Clerk of the United States District Court to issue a Writ of Execution upon the judgment entered against the defendant, Yoo Mi Evans on April 9, 2009. In support of this application, the United States provides the following statement pursuant to 28 U.S.C.

§3203(c)(1):

1. The judgment debtor's name is Yoo Mi Evans , Social Security Number is
*****, and defendant's last known address is New York, NY 10002.

2. Judgment was entered against the defendant in this action in the amount of \$35,127.00 on April 9, 2009, plus post-judgment interest at the rate of 0%. The sum of \$100.00 has been credited to the judgment debt, leaving a total balance due of \$35,027.00, as of September 2, 2009.

3. There is or may be property in which the debtor has possession, custody, or control, and in which the debtor has a substantial nonexempt interest which may be levied upon for payment of the above judgement, described as follows:


The \$20,000 in cash seized from the debtor at the time of her arrest on or about July 10, 2002, and the approximately \$15,027 seized during the search of Sun Gold Massage on July 10, 2002.

WHEREFORE, the United States respectfully requests that the Court issue a Writ of Execution in accordance with the Federal Debt Collection Procedures Act of 1990.

Respectfully submitted,

RALPH J. MARRA, JR.
ACTING UNITED STATES ATTORNEY

By:


LEAH A. BYNON
ASSISTANT U.S. ATTORNEY

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CRIMINAL No. 08-477

WRIT OF EXECUTION

TO THE UNITED STATES MARSHAL:

On April 9, 2009 a judgment was entered in the United States District Court for the District of New Jersey, in favor of the United States of America, plaintiff, and against the defendant Yoo Mi Evans, NY 10002 in the sum of \$35,127.00.

Since entry of judgment, costs and interest have accrued according to law. Computation of the debt as of September 2, 2009 is the judgment amount of \$35,127.00 plus accrued interest at the rate of 0%. The sum of \$0.00 has been credited to the judgment debt, leaving a total balance of \$35,027.00, as of September 2, 2009.

NOW, THEREFORE, YOU ARE HEREBY COMMANDED to satisfy the judgment by levying on and selling all property in which defendant has a substantial nonexempt

interest, and by executing upon the property described below:

The \$20,000 in cash seized from the debtor at the time of her arrest on or about July 10, 2002, and the approximately \$15,027 seized during the search of Sun Gold Massage on July 10, 2002.

YOU ARE ALSO COMMANDED to collect interest thereon from the date hereof with your costs and expenses and make return of this writ within ninety days after the date of issuance if levy is not made, or, within ten days after the date of sale of property on which levy is made.

YOU ARE FURTHER COMMANDED that the levy and sale shall not exceed property reasonably equivalent in value to the aggregate amount of the judgment, costs and interest.

WITNESS the Honorable William T. Walsh this 16 day of September, 2009.

WILLIAM T. WALSH, CLERK
UNITED STATES DISTRICT COURT

By:

John F. Nelson
Deputy Clerk

RETURN

DATE RECEIVED	I	TIME RECEIVED
	I	
	I	
DATE OF LEVY	I	PROPERTY SEIZED PURSUANT TO LEVY
	I	
	I	
DATE OF SALE	I	FEES, COSTS AND EXPENSES
	I	
	I	
The writ was received and executed		
U.S. MARSHAL	I	BY: DEPUTY U.S. MARSHAL
	I	
	I	

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Hon. William H. Walls

CRIMINAL No. 08-477

A F F I D A V I T

COUNTY OF ESSEX

:

:

SS

STATE OF NEW JERSEY

:

Leah A. Bynon, being duly sworn, says:

1. I am the attorney for judgment creditor in the matter of United States of America v. Yoo Mi Evans, CRIMINAL No. 08-477 and in that capacity and in conformance with 28 U.S.C. §3203 and Rule 69 (a), F.R.C.P., I have caused to be conducted an examination in satisfaction of the judgment debtor, Yoo Mi Evans .

2. I have determined that the following non-exempt personal property of the judgment debtor is subject to execution in satisfaction of the judgment herein:

The \$20,000 in cash seized from the debtor at the time of her arrest on or about July 10, 2002, and the approximately \$15,027 seized during the search of Sun Gold Massage on July 10, 2002.

3. I have further determined that the following non-exempt real property of the judgment debtor is subject to execution in satisfaction of this judgment:

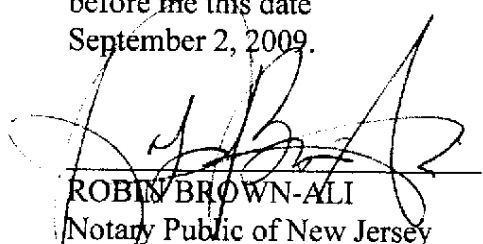
NONE

RALPH J. MARRA, JR.
ACTING UNITED STATES ATTORNEY

By:


LEAH A. BYNON
Assistant U.S. Attorney

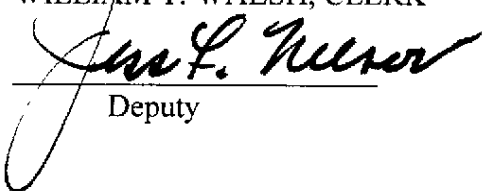
Subscribed and Sworn to
before me this date
September 2, 2009.


ROBIN BROWN-ALI
Notary Public of New Jersey
My Commission Expires 2/14/2013.

.....
Recorded in the Clerk's Office of the United States District Court for the District of New Jersey
in Book of Executions, Page

WILLIAM T. WALSH, CLERK

By:


Deputy

RETURNABLE ON OR BEFORE

RALPH J. MARRA, JR.
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**CLERK'S NOTICE OF POST-
JUDGMENT EXECUTION**

You are hereby notified that this \$20,000 in cash seized from the debtor at the time of her arrest on or about July 10, 2002, and the approximately \$15,027 seized during the search of Sun Gold Massage on July 10, 2002 is being taken by the United States of America which has a court judgment in CRIMINAL No. 08-477 in the sum of \$35,127.00 and post judgment interest at the rate of 0%. A balance of \$35,027.00 remains outstanding.

In addition, you are hereby notified that there are exemptions under the law which may protect some of the property from being taken by the Government if Yoo Mi Evans can show that the exemptions apply. Below is a summary of the exemptions which are applicable.

If you are Yoo Mi Evans , you have a right to ask the court to return your property to you if you think the property the Government is taking qualifies under one of the exemptions or if a default judgment has been entered against you, if you think you do not owe the money to the Government that it says you do.

If you want a hearing, you must notify the court within 20 days after receipt of the notice. Your request must be in writing.

If you wish, you may use this notice to request the hearing by checking the box below. You must either mail it or deliver it in person to the King District Court Clerk's Office at 50 Walnut Street. You must also send a copy of your request to the United States Attorney at 970 Broad Street, Attn: Financial Litigation Unit, Newark, New Jersey 07102, so the Government will know you want a hearing.

The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

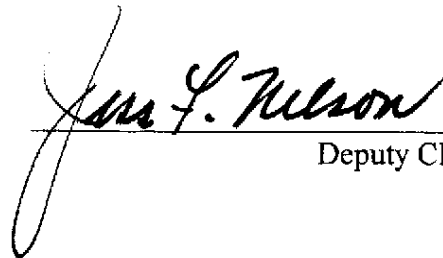
At the hearing you may explain to the judge why you think you do not owe the money to the Government. If you do not request a hearing within 20 days of receiving this notice, your property may be sold at public auction and the proceeds of the sale will be applied to the debt you owe the Government.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the King District Court Clerk's Office at 50 Walnut Street. You must also send a copy of your request to the Government at 970 Broad Street, Suite 700, Attn: Financial Litigation Unit, Newark, New Jersey 07102, so the Government will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the clerk of the court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

WILLIAM T. WALSH, CLERK
UNITED STATES DISTRICT COURT

By:


Deputy Clerk